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Attorneys for Defendant  
CITY OF BALDWIN PARK

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION**

BALDWIN PARK FREE SPEECH  
COALITION, an unincorporated  
association; ROBERT EHLERS, an  
individual,

Plaintiffs,

v.

CITY OF BALDWIN PARK,  
Defendant.

CASE NO.: 2:19-cv-09864 CAS-E

Assigned to Honorable Christina A. Snyder

**DEFENDANT'S NOTICE OF MOTION  
AND MOTION FOR PARTIAL  
JUDGMENT ON THE PLEADINGS**

Date: July 27, 2020  
Time: 10:00 a.m.  
Cttrm: 8D

**NOTICE IS HEREBY GIVEN THAT:**

On July 27, 2020 at 10:00 a.m., or as soon thereafter as the motion may be heard in Courtroom 8D of the United States District Court First Street Courthouse in Los Angeles, California, the Honorable Christine Snyder, district judge presiding, Defendant City of Baldwin Park (the "City" or "Defendant") will move the court for partial judgment on the pleadings as to Plaintiffs' fifth claim for relief for violation of the Bane Act; first claim for relief for violation of the First Amendment, to the extent Plaintiffs allege a facial challenge to the sign provisions and allege that the permit provisions constitute a prior restraint; and second claim for relief for violation of the Fourteenth Amendment, to the extent Plaintiffs allege a facial due process challenge to the permit provision.

1 The basis for the motion is that even if the facts asserted in the Amended  
2 Complaint are accepted as true, Plaintiffs have not alleged facts to support the  
3 necessary elements to establish the claims at issue.

4 The motion is based on the Notice of Motion and Motion, the concurrently  
5 filed Memorandum of Points and Authorities, as well as the exhibit attached to the  
6 Motion.

7 The motion is also based on any subsequent pleadings, declarations and  
8 exhibits submitted in Reply to the Opposition to the motion, if any, and as may be  
9 presented at oral argument in this matter.

10 This motion is made following the conference of counsel pursuant to L.R. 7-  
11 3 which took place on June 22, 2020.

12 Dated: June 29, 2020

BROWNSTEIN HYATT FARBER  
SCHRECK, LLP

15 By: /s/ Mitchell J. Langberg  
16 MITCHELL J. LANGBERG  
17 EMILY L. DYER  
18 Attorneys for Defendant  
19 CITY OF BALDWIN PARK  
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